

House Study Bill 190 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
HOUSE APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

(SUCCESSOR TO LSB 1001HA)

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government entities involved with agriculture, natural
3 resources, and environmental protection.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS

Section 1. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:

.....	\$ 16,497,308
.....	FTEs 333.60

2. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

3. Of the amount appropriated in this section, \$238,000 is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute.

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes

1 designated:

2 For purposes of supporting the department's administration
3 and enforcement of horse and dog racing law pursuant to section
4 99D.22, including for salaries, support, maintenance, and
5 miscellaneous purposes:

6 \$ 305,516

7 DESIGNATED APPROPRIATIONS — MOTOR FUEL

8 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
9 FUEL INSPECTION. There is appropriated from the renewable
10 fuel infrastructure fund created in section 15G.205 to the
11 department of agriculture and land stewardship for the fiscal
12 year beginning July 1, 2011, and ending June 30, 2012, the
13 following amount, or so much thereof as is necessary, to be
14 used for the purposes designated:

15 For purposes of the inspection of motor fuel, including
16 salaries, support, maintenance, and miscellaneous purposes:

17 \$ 500,000

18 The department shall establish and administer programs
19 for the auditing of motor fuel including biofuel processing
20 and production plants, for screening and testing motor fuel,
21 including renewable fuel, and for the inspection of motor fuel
22 sold by dealers including retail dealers who sell and dispense
23 motor fuel from motor fuel pumps.

24 DIVISION II

25 DEPARTMENT OF NATURAL RESOURCES

26 GENERAL APPROPRIATIONS

27 Sec. 4. GENERAL FUND — DEPARTMENT.

28 1. There is appropriated from the general fund of the state
29 to the department of natural resources for the fiscal year
30 beginning July 1, 2011, and ending June 30, 2012, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 For purposes of supporting the department, including its
34 divisions, for administration, regulation, and programs; for
35 salaries, support, maintenance, and miscellaneous purposes; and

1 for not more than the following full-time equivalent positions:
2 \$ 12,266,688
3 FTEs 1,145.95

4 2. The department shall submit a report each quarter of the
5 fiscal year to the legislative services agency, the department
6 of management, the members of the joint appropriations
7 subcommittee on agriculture and natural resources, and the
8 chairpersons and ranking members of the senate and house
9 committees on appropriations. The report shall describe in
10 detail the expenditure of moneys appropriated under this
11 section to support the department's administration, regulation,
12 and programs.

13 Sec. 5. STATE FISH AND GAME PROTECTION FUND — DIVISION OF
14 FISH AND WILDLIFE.

15 1. There is appropriated from the state fish and game
16 protection fund to the department of natural resources for the
17 fiscal year beginning July 1, 2011, and ending June 30, 2012,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For purposes of supporting the division of fish and
21 wildlife, including for administration, regulation, and
22 programs; and for salaries, support, maintenance, equipment,
23 and miscellaneous purposes:
24 \$ 38,793,154

25 2. Notwithstanding section 455A.10, the department may use
26 the unappropriated balance remaining in the state fish and game
27 protection fund to provide for the funding of health and life
28 insurance premium payments from unused sick leave balances of
29 conservation peace officers employed in a protection occupation
30 who retire, pursuant to section 97B.49B.

31 Sec. 6. GROUNDWATER PROTECTION FUND — WATER QUALITY. There
32 is appropriated from the groundwater protection fund created
33 in section 455E.11 to the department of natural resources for
34 the fiscal year beginning July 1, 2011, and ending June 30,
35 2012, from those moneys which are not allocated pursuant to

1 that section, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:

3 For purposes of supporting the department's protection
4 of the state's groundwater, including for administration,
5 regulation, and programs, and for salaries, support,
6 maintenance, equipment, and miscellaneous purposes:

7 \$ 3,455,832

8 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

9 Sec. 7. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
10 PROGRAM. There is appropriated from the special snowmobile
11 fund created under section 321G.7 to the department of natural
12 resources for the fiscal year beginning July 1, 2011, and
13 ending June 30, 2012, the following amount, or so much thereof
14 as is necessary, to be used for the purpose designated:

15 For purposes of administering and enforcing the state
16 snowmobile programs:

17 \$ 100,000

18 Sec. 8. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK
19 SECTION EXPENSES. There is appropriated from the unassigned
20 revenue fund administered by the Iowa comprehensive underground
21 storage tank fund board to the department of natural resources
22 for the fiscal year beginning July 1, 2011, and ending June 30,
23 2012, the following amount, or so much thereof as is necessary,
24 to be used for the purpose designated:

25 For purposes of paying for administration expenses of the
26 department's underground storage tank section:

27 \$ 200,000

28 Sec. 9. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR
29 SPECIAL PURPOSES. Notwithstanding any contrary provision of
30 state law, for the fiscal year beginning July 1, 2011, and
31 ending June 30, 2012, the department of natural resources may
32 use additional moneys available to the department collected
33 from storm water discharge permit fees as provided in sections
34 455B.103A and 455B.197 for the staffing of the following
35 additional full-time equivalent positions for the purposes

1 designated:

2 1. For purposes of reducing the department's floodplain
3 permit backlog:

4 FTEs 2.00

5 2. For purposes of implementing the federal total maximum
6 daily load program:

7 FTEs 2.00

8 DIVISION III

9 IOWA STATE UNIVERSITY

10 Sec. 10. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

11 1. There is appropriated from the general fund of the state
12 to Iowa state university of science and technology for the
13 fiscal year beginning July 1, 2011, and ending June 30, 2012,
14 the following amount, or so much thereof as is necessary, to be
15 used for the purposes designated:

16 For purposes of supporting the college of veterinary
17 medicine for the operation of the veterinary diagnostic
18 laboratory and for not more than the following full-time
19 equivalent positions:

20 \$ 3,237,636

21 FTEs 44.00

22 2. a. Iowa state university of science and technology
23 shall not reduce the amount that it allocates to support the
24 college of veterinary medicine from any other source due to the
25 appropriation made in this section.

26 b. Paragraph "a" does not apply to a reduction made to
27 support the college of veterinary medicine, if the same
28 percentage of reduction imposed on the college of veterinary
29 medicine is also imposed on all of Iowa state university's
30 budget units.

31 3. If by June 30, 2012, Iowa state university of science and
32 technology fails to allocate the moneys appropriated in this
33 section to the college of veterinary medicine in accordance
34 with this section, the moneys appropriated in this section for
35 that fiscal year shall revert to the general fund of the state.

1 Sec. 11. VETERINARY DIAGNOSTIC LABORATORY — FUTURE
 2 YEAR. This section applies if appropriations made in this
 3 Act and all other Acts enacted by the Eighty-fourth General
 4 Assembly during the 2011 regular session and all extraordinary
 5 sessions, for the fiscal year beginning July 1, 2011, and
 6 ending June 30, 2012, for purposes of supporting the operation
 7 of the veterinary diagnostic laboratory associated with the
 8 college of veterinary medicine at Iowa state university,
 9 total less than \$0. It is the intent of the general assembly
 10 that the amount of any deficit will be appropriated by the
 11 general assembly during its 2012 regular session for purposes
 12 of supporting the operation of the veterinary diagnostic
 13 laboratory for the fiscal year beginning July 1, 2012, and
 14 ending June 30, 2013.

15 DIVISION IV

16 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS

17 Sec. 12. DEPARTMENT OF AGRICULTURE AND LAND
 18 STEWARDSHIP. There is appropriated from the environment first
 19 fund created in section 8.57A to the department of agriculture
 20 and land stewardship for the fiscal year beginning July 1,
 21 2011, and ending June 30, 2012, the following amounts, or so
 22 much thereof as is necessary, to be used for the purposes
 23 designated:

- 24 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)
- 25 a. For the conservation reserve enhancement program to
 26 restore and construct wetlands for the purposes of intercepting
 27 tile line runoff, reducing nutrient loss, improving water
 28 quality, and enhancing agricultural production practices:
 29 \$ 1,000,000
- 30 b. Not more than 10 percent of the moneys appropriated
 31 in paragraph "a" may be used for costs of administration and
 32 implementation of soil and water conservation practices.
- 33 c. Notwithstanding any other provision in law, the
 34 department may provide state resources from this appropriation,
 35 in combination with other appropriate environment first

1 fund appropriations, for cost sharing to match United States
2 department of agriculture, natural resources conservation
3 service, wetlands reserve enhancement program (WREP) funding
4 available to Iowa.

5 2. WATERSHED PROTECTION

6 a. For continuation of a program that provides
7 multiobjective resource protections for flood control, water
8 quality, erosion control, and natural resource conservation:
9 \$ 900,000

10 b. Not more than 10 percent of the moneys appropriated
11 in paragraph "a" may be used for costs of administration and
12 implementation of soil and water conservation practices.

13 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

14 a. For continuation of a statewide voluntary farm
15 management demonstration program to demonstrate the
16 effectiveness and adaptability of emerging practices in
17 agronomy that protect water resources and provide other
18 environmental benefits:
19 \$ 725,000

20 b. Not more than 10 percent of the moneys appropriated
21 in paragraph "a" may be used for costs of administration and
22 implementation of soil and water conservation practices.

23 c. Of the amount appropriated in paragraph "a", \$400,000
24 shall be allocated to an organization representing soybean
25 growers to provide for an agriculture and environment
26 performance program in order to carry out the purposes of this
27 subsection as specified in paragraph "a".

28 4. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

29 a. For deposit in the agricultural drainage well water
30 quality assistance fund created in section 460.303 to be used
31 for purposes of supporting the agricultural drainage well water
32 quality assistance program as provided in section 460.304:
33 \$ 875,000

34 b. Not more than 10 percent of the moneys appropriated
35 in paragraph "a" may be used for costs of administration and

1 implementation of soil and water conservation practices.

2 5. SOIL AND WATER CONSERVATION — ADMINISTRATION

3 For use by the department for costs of administration and
4 implementation of soil and water conservation practices:

5 \$ 2,000,000

6 6. CONSERVATION RESERVE PROGRAM (CRP)

7 a. To encourage and assist farmers in enrolling in and the
8 implementation of the federal conservation reserve program and
9 to work with them to enhance their revegetation efforts to
10 improve water quality and habitat:

11 \$ 1,000,000

12 b. Not more than 10 percent of the moneys appropriated
13 in paragraph "a" may be used for costs of administration and
14 implementation of soil and water conservation practices.

15 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

16 a. For deposit in the loess hills development and
17 conservation fund created in section 161D.2:

18 \$ 475,000

19 b. (1) Of the amount appropriated in paragraph "a",
20 \$316,667 shall be allocated to the fund's hungry canyons
21 account.

22 (2) Not more than 10 percent of the moneys allocated to the
23 hungry canyons account as provided in subparagraph (1) may be
24 used for administrative costs.

25 c. (1) Of the amount appropriated in paragraph "a",
26 \$158,333 shall be allocated to the fund's loess hills alliance
27 account.

28 (2) Not more than 10 percent of the moneys allocated to the
29 loess hills alliance account as provided in subparagraph (1)
30 may be used for administrative costs.

31 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND

32 a. For deposit in the southern Iowa development and
33 conservation fund created in section 161D.12:

34 \$ 225,000

35 b. Not more than 10 percent of the moneys appropriated in

1 paragraph "a" may be used for administrative costs.

2 9. SOIL AND WATER CONSERVATION

3 a. For use by the department in providing for soil and
4 water conservation administration, the conservation of soil and
5 water resources, or the support of soil and water conservation
6 district commissioners:

7 \$ 6,300,000

8 b. The department may deposit any amount of the moneys into
9 the Mississippi river basin healthy watersheds initiative fund
10 created in section 161G.2.

11 Sec. 13. DEPARTMENT OF NATURAL RESOURCES. There is
12 appropriated from the environment first fund created in section
13 8.57A to the department of natural resources for the fiscal
14 year beginning July 1, 2011, and ending June 30, 2012, the
15 following amounts, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 1. KEEPERS OF THE LAND

18 For statewide coordination of volunteer efforts under the
19 water quality and keepers of the land programs:

20 \$ 100,000

21 2. STATE PARKS MAINTENANCE AND OPERATIONS

22 For regular maintenance of state parks and staff time
23 associated with these activities:

24 \$ 2,910,000

25 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

26 To provide local watershed managers with geographic
27 information system data for their use in developing,
28 monitoring, and displaying results of their watershed work:

29 \$ 195,000

30 4. WATER QUALITY MONITORING

31 For continuing the establishment and operation of water
32 quality monitoring stations:

33 \$ 2,955,000

34 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

35 For deposit in the public water supply system account of the

1 water quality protection fund created in section 455B.183A:
2 \$ 500,000

3 6. REGULATION OF ANIMAL FEEDING OPERATIONS

4 For the regulation of animal feeding operations, including
5 as provided for in chapters 459 and 459A:

6 \$ 420,000

7 7. AMBIENT AIR QUALITY

8 For the abatement, control, and prevention of ambient
9 air pollution in this state, including measures as necessary
10 to assure attainment and maintenance of ambient air quality
11 standards from particulate matter:

12 \$ 425,000

13 8. WATER QUANTITY REGULATION

14 For regulating water quantity from surface and subsurface
15 sources by providing for the allocation and use of water
16 resources, the protection and management of water resources,
17 and the preclusion of conflicts among users of water resources,
18 including as provided in chapter 455B, division III, part 4:
19 \$ 495,000

20 Sec. 14. REVERSION. Notwithstanding section 8.33,
21 moneys appropriated for the fiscal year beginning July 1,
22 2011, in this division of this Act that remain unencumbered
23 or unobligated at the close of the fiscal year shall not
24 revert but shall remain available to be used for the purposes
25 designated until the close of the fiscal year beginning July 1,
26 2012, or until the project for which the appropriation was made
27 is completed, whichever is earlier.

28 DIVISION V
29 RESOURCES ENHANCEMENT
30 AND PROTECTION (REAP) FUND

31 Sec. 15. ENVIRONMENT FIRST FUND. Notwithstanding the
32 amount of the standing appropriation from the general fund of
33 the state to the Iowa resources enhancement and protection
34 fund as provided in section 455A.18, there is appropriated
35 from the environment first fund created in section 8.57A to

1 the Iowa resources enhancement and protection fund, in lieu of
2 the appropriation made in section 455A.18, for the fiscal year
3 beginning July 1, 2011, and ending June 30, 2012, the following
4 amount, to be allocated as provided in section 455A.19:

5 \$ 11,500,000

6 Sec. 16. OPEN SPACES ACCOUNT — TRANSFERS. Notwithstanding
7 section 455A.19, for the fiscal year beginning July 1, 2011,
8 and ending June 30, 2012, there is transferred from the open
9 spaces account of the Iowa resources enhancement and protection
10 fund created pursuant to sections 455A.18 and 455A.19,
11 subsection 1, paragraph "a", the following amounts to be used
12 for the purposes designated:

13 a. To the department of natural resources for expenses
14 related to the maintenance and operation of state parks:

15 \$ 375,000

16 b. To the soil conservation division of the department of
17 agriculture and land stewardship for the administration and
18 implementation of soil and water conservation practices as
19 provided in chapter 161A:

20 \$ 375,000

21 c. To the loess hills development and conservation
22 authority created in section 161D.2 for deposit in the hungry
23 canyons account as provided in that section:

24 \$ 25,000

25 Sec. 17. OPEN SPACES ACCOUNT — LIMITATIONS ON
26 USE. Notwithstanding section 455A.19, subsection 1, paragraph
27 "a", for the fiscal year beginning July 1, 2011, and ending
28 June 30, 2012, moneys deposited into the open spaces account
29 of the Iowa resources enhancement and protection fund created
30 pursuant to sections 455A.18 and 455A.19, subsection 1,
31 paragraph "a", shall not be used for any purpose related to the
32 acquisition of land, including but not limited to acquisition
33 by purchase, lease, or lease-purchase, if the department would
34 be the titleholder or a lessee or lessor of the land.

35 DIVISION VI

1 RELATED STATUTORY CHANGES

2 Sec. 18. Section 455G.3, Code 2011, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 10. *a.* For the fiscal year beginning July
5 1, 2011, and each fiscal year thereafter, there is appropriated
6 from the Iowa comprehensive petroleum underground storage
7 tank fund to the department of natural resources two hundred
8 thousand dollars for purposes of technical review support to be
9 conducted by nongovernmental entities for leaking underground
10 storage tank assessments.

11 *b.* Notwithstanding section 8.33, moneys appropriated in
12 paragraph "a" which remain unexpended or unobligated at the
13 close of a fiscal year shall not revert, but remain available
14 for expenditure for the purposes designated in paragraph "a"
15 until expended.

16 EXPLANATION

17 GENERAL. This bill relates to agriculture and natural
18 resources by making appropriations for the 2011-2012 fiscal
19 year to support related entities, including the department of
20 agriculture and land stewardship, the department of natural
21 resources, and Iowa state university.

22 The bill appropriates moneys to the department of
23 agriculture and land stewardship and the department of natural
24 resources. The appropriations are made to support those
25 departments for administration, regulation, and programs. The
26 bill requires the departments to submit quarterly reports to
27 the general assembly and department of management regarding the
28 expenditure of appropriated moneys. The bill also provides
29 moneys to support specific programs or projects administered by
30 those departments. The bill appropriates moneys from a number
31 of sources, including the general fund of the state, the state
32 fish and game protection fund, the groundwater protection fund,
33 and the environment first fund. The bill is organized into
34 divisions.

35 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the

1 department of agriculture and land stewardship, moneys are
2 appropriated in order to support its divisions.

3 The bill appropriates moneys from the general fund of the
4 state to support designated programs, including horse and dog
5 racing, and motor fuel inspection.

6 DEPARTMENT OF NATURAL RESOURCES. For the department of
7 natural resources, moneys are appropriated from the general
8 fund in order to support its divisions.

9 The bill makes appropriations from other funds. The bill
10 appropriates moneys to the department of natural resources from
11 the state fish and game protection fund to support programs
12 related to fish and wildlife. The bill appropriates moneys
13 from the groundwater protection fund to support groundwater
14 quality. The bill appropriates moneys from the snowmobile fund
15 to the department for snowmobile programs.

16 The bill includes miscellaneous provisions. An
17 appropriation is made from the unassigned revenue fund
18 administered by the Iowa comprehensive underground storage
19 tank fund board to the department of natural resources for
20 administration and expenses of the underground storage tank
21 section.

22 The bill provides that the department of natural
23 resources may use additional funds for staffing to reduce the
24 department's floodplain permit backlog and implementing the
25 federal maximum daily load program.

26 IOWA STATE UNIVERSITY. The bill appropriates moneys from
27 the general fund of the state for the operation of the Iowa
28 state university's veterinary diagnostic laboratory. It
29 includes provisions expressing legislative intent for a future
30 appropriation for the diagnostic laboratory.

31 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND. The bill
32 appropriates moneys from the environment first fund to the Iowa
33 resources enhancement and protection fund in lieu of the \$20
34 million appropriated by Code section 455A.18 from the general
35 fund of the state.

1 The bill includes several provisions affecting the open
2 spaces account of the Iowa resources enhancement and protection
3 fund. It transfers moneys for use by the department of natural
4 resources, the department of agriculture and land stewardship,
5 and the loess hills development and conservation authority.

6 The bill also provides that moneys in the open spaces account
7 cannot be used for land acquisition for fiscal year 2011-2012.

8 RELATED STATUTORY CHANGES. The bill amends a provision in
9 the Code section 455G.3 establishing an Iowa comprehensive
10 petroleum underground storage tank fund. The bill provides a
11 standing limited appropriation from the fund to the department
12 of natural resources to support technical reviews of leaking
13 underground storage tank assessments.